

IN THE UNITED STATES DISTRICT COURT

SOUTHERN OHIO

07 MAY 15 AM 10:52

UNITED STATES OF AMERICA  
Plaintiff

CASE NO. 1:02-CR-077

Judge WEBER

VS

RICARDO LEE  
Defendant.

DEFENDANTS MOTION TO DENY  
UNITED STATES OR BUREAU OF  
PRISONS DIRECTOR AN  
EXTENSION OF TIME TO COMPLETE  
A 30 DAY PSYCH EVALUATION.

Now comes the defendant Ricardo Lee pro se by and through counsel in assistance to his own defense to petition this court for an order pursuant to 18 USC 4245 denying the United States Attorney, Federal Bureau of Prisons Director an extension of time to complete a 30 day psych exam beyond the statutory time limit of 30 days by law.

Respectfully submitted

Ricardo Lee

Ricardo Lee #03578061

FMC Devens

P.O. BOX 879

Ayer, MA 01432

MEMORANDUM

The defendant was committed to the custody of the B.O.P by magistrate judge Hogan for a psych evaluation exam to determine the defendants competency to stand for a supervised release violation and not for trial.

The

The defendant was committed to Deven's federal medical center in the state of Massachusetts over 500 miles away from the District Court where this case originated for a supervised release violation.

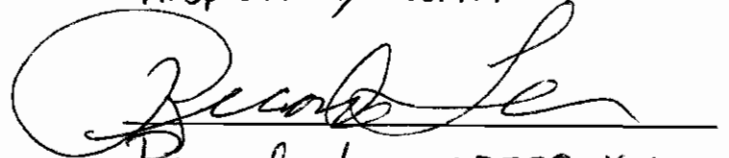
By law a defendant can only be committed to Federal Bureau of Prisons custody for a psych exam when he is facing a trial for criminal federal charges, and the psych exam shall not exceed 30 day unless for good cause shown by the U.S. and medical staff, and the Director, a 15 day extension can be granted. Otherwise after the 30 days to complete the psych exam has expired in which to evaluate a defendant has expired the defendant shall be discharged from the federal medical center immediately and either released or returned to the appropriate District court. In this case the 30 day limit began on April 25, 2007 and shall not go

beyond the date of May 25, 2007. The defendant has and still continues to cooperate with all psych treatment including taking medications and therapy. Since the defendant is readily available to psych doctors at all times at Devens Medical Center controlled environment psych staff have the full ability to fully and completely evaluate and treat the defendant, then thereafter submit a full prognosis and diagnosis and recommendation report to this court within the statutory required 30 days time limit by law. Especially since the defendant is highly intelligent and competently aware of his constitutional rights, and fully aware of what legal ramifications and sanctioning he is facing for a violation of his supervised release terms. And the defendant only suffers from anxiety and mood swings but nothing to the effect of being incoherent or illiterate.

So the professionalism of Devens medical doctors would allow them to fully evaluate +  
fully evaluate the defendant within a reasonable amount of time not to exceed 30 days. So the defendant prays that this court would not

grant the united states or the BOP psych staff an additional 15 days unnecessary, to exceed the 30 day time limit without good cause shown since the defendant is not incompetent at this time to stand for a supervised release violation, So the defendant moves to be discharged from B.O.P Devens FMC custody immediately not exceeding the 30 day time limit. according to the law and the administration of justice

Respectfully submitted

A handwritten signature in black ink, appearing to read "Ricardo Lee", written over a horizontal line.

Ricardo Lee 03578-061

F.M.C Devens

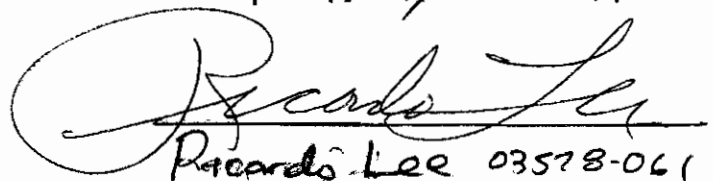
P.O. BOX 879

Ayer. MA 01432

PROOF OF SERVICE

I Ricardo Lee do hereby state that a  
copy of the foregoing was delivered to the Director of  
the federal bureau of prisons, and the United States attorney  
on this day of May 10 2007 by U.S. Mail

Respectfully submitted

  
Ricardo Lee 03578-061

FMC DEVENS

P.O. BOX 879

Ayer, MA 01432